IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 6242 of 1998

Between:

G.Hussain Basha, S/o .Khaja Hussain,
R/o .Palukur, Kurnool District.

..... PETITIONER

AND

The Superintendent,
Sarojini Devi Eye Hospital, Mehdipatnam,
Hyderabad - 500028.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue appropriate Writ, Order or Direction more particularly one in the nature of the Writ of Mandamus directing the respondent to consider the application of the petitioner for the diploma in "Opteromitic" Course for 1998-2000 by declaring the action of the respondent in rejecting the petitioner's application as illegal and void.

Counsel for the Petitioner: MR.K.INDRA REDDY

Counsel for the Respondent No.: GP FOR MEDICAL HEALTH & FAMILY WELFARE

The Court made the following:

ORDER:

The petitioner seeks to issue a Writ of Mandamus directing the

respondent to consider the application of the petitioner for admission to Diploma in “Opteromitic” course for the academic years 1998-2000 by declaring the action of the respondent in rejecting the petitioner’s application, as illegal and void.

This Court, on 19.03.1998, while admitting the writ petition, passed interim orders directing the respondent to grant provisional admission to the petitioner.

Being aggrieved by the said interim orders, the respondent herein filed Writ Appeal being W.A.No.531 of 1998. The said writ appeal was allowed on 07.04.1998 by setting aside the interim orders passed by the learned Single Judge in W.P.No.6242 of 1998. The matter relates to admission to Diploma in “Opteromitic” course for the academic year 1998–2000 and therefore, in view of the orders in W.A.No.531 of 1998, the cause in the writ petition does not survive for adjudication as the same has become infructuous.

The writ petition is accordingly dismissed. No order as to costs.

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25.04.2005

dr/tvk

To

1 The Superintendent,
Sarojini Devi Eye Hospital, Mehdipatnam,
Hyderabad - 500028.

2 2 CCs to Government Pleader for Health and Family

Welfare, High Court Buildings, Hyderabad. (OUT)

3 2 CD copies